



Transportation Synthesis Report

Nina McLawhorn
Research Administrator
Wisconsin Department of Transportation
608-266-3199
nina.mclawhorn@dot.state.wi.us

Reducing ATV Impact on Highway Rights of Way

Prepared for
Bureau of Highway Operations
Division of Transportation Infrastructure Development

Prepared by
CTC & Associates LLC
WisDOT RD&T Program
April 9, 2003

Transportation Synthesis Reports (TSRs) are brief summaries of currently available information on topics of interest to WisDOT technical staff in highway development, construction and operations. Online and print sources include NCHRP and other TRB programs, AASHTO, the research and practices of other state DOTs, and related academic and industry research.

REQUEST FOR REPORT

All-terrain vehicles (ATVs)—also known as off-road vehicles (ORVs) and off-highway vehicles (OHVs)—continue to grow in popularity around much of the country. They can damage highway rights of way when driven on soft ground or newly seeded areas and can disrupt wildlife habitat. While laws are in place in Wisconsin to restrict operation of ATVs in such areas, the laws are frequently ignored. The RD&T Program was asked to review other states' experiences with ATV regulation and identify successful practices.

SUMMARY

We found that irresponsible and illegal ATV use is a hot topic everywhere. Most states support ATV programs, designated trails and regulation through their departments of natural resources or state parks. There is general frustration over how to handle the problem, as in Wisconsin. We talked to officials in three states—**Arizona, Minnesota and Iowa**—whose approaches are described below. Arizona has implemented the most elaborate, and successful, public awareness campaign to curb inappropriate driving behavior. Several recurring themes came out of our conversations with all of the states:

- Help ATV riders understand that self-regulation will allow for more freedom and riding opportunities than will government regulation
- Pass laws to increase fines and clearly designate legal and illegal ATV activities
- Provide enough legitimate places to ride so that there isn't the need or desire to ride where forbidden

We've also identified below several **ATV Organizations** and **Responsible Recreation Groups**, both nationally and in Wisconsin, which offer suggestions and support for raising public awareness.

STATE PERSPECTIVES

Arizona

Joanna Scruggs, Outdoor Recreation Information Center Manager, 602-417-9300
Tanna Thornburg, Arizona State Parks, 602-542-4174, tthornburg@pr.state.az.us

Over the last ten years, Arizona has used its Off-Highway Vehicle Fund to erect signage, create maps, pay for law enforcement, educate the public, and much more related to OHV use. This money comes from Arizona's motor-fuel

tax revenues, providing opportunities for pilot projects and grants related to OHV use. Arizona also uses federal recreation trails money, administered through State Parks.

Over the last few years, Arizona has conducted a major advertising campaign to increase public awareness of the harmful effects of negligent OHV use. The campaign employed television, radio and billboards to promote the message: "Nature Rules. Stay on the trails." State agencies met with a variety of user groups (from all-terrain vehicle riders to jeep drivers) every month to agree on the best campaign approach, which was executed by Cooley Advertising. Both Joanna and Tanna said that awareness of the need to ride responsibly skyrocketed as a result of the campaign. Joanna has seen triple the number of requests for information just in her center. Tanna said that the key to the campaign was zeroing in on the right consequence-based advertising. In the first year of television advertising, they depicted riders harming themselves and their vehicles by riding irresponsibly. Since many OHV riders see surviving accidents as a sort of "badge of honor," the campaign was found to be amusing, not a deterrent. In the second year, the campaign emphasized the potential closing of lands to OHV riders and got quite a different response. The threat of losing recreational opportunities proved to be an effective way to convince riders to control their behavior and that of other riders.

Arizona State Parks has also used a small portion of the funding to conduct four-wheel safety clinics in which they target new riders with information about wildlife and wetland preservation and the need to stay on the thousands of trails available to them. Because of the proliferation of automobile commercials emphasizing the ability to drive trucks and SUVs off the beaten path, new riders often buy their vehicles with trailblazing in mind. Arizona State Parks has closed some land because of violations of the Clean Air Act (excessive dust generation) and is working with vehicle dealers to pressure riders to stay on the paths. The dealers have Clean Air Act obligations themselves and are pointing to the fact that they hand out brochures and put up posters about responsible riding, provided by Arizona State Parks, to defend their efforts to the U.S. Environmental Protection Agency.

Local OHV groups have also responded very well to the campaign efforts and are taking more responsibility for monitoring rider behavior and cleaning up the environment. Joanna said that a number of local OHV groups sponsor family picnics and OHV outings that include trash pickup in recreation areas.

The following individuals should be able to provide more specific information about Arizona's programs:

Bill Gibson, Bureau of Land Management, 602-417-9425, bill_gibson@blm.gov
Tammy Pike, Arizona State Land Department, 602-542-2269, tpike@lnd.state.az.us

Minnesota

Chuck Schwarz, Minnesota Department of Natural Resources, 651-296-5484
Ron Potter, Off-Highway Vehicle Coordinator, Minnesota Department of Natural Resources, Division of Trails and Waterways, 218-753-2587 ext. 251, ron.potter@dnr.state.mn.us

Minnesota has a problem with ATV riders disturbing ground bird nesting areas by riding in highway drainage areas between April and August, when it is prohibited. Part of the difficulty is that state laws are inconsistent about who can and cannot ride in the ditches. Agricultural activities such as mowing are allowed, and individuals can get a separate license for only six dollars for this kind of ATV riding. It's very difficult to prove that someone isn't riding in the ditch for legitimate reasons if that's what he or she claims. Ron says that it's mostly kids who are illegally riding unlicensed in the ditches who cause the most damage. The enforcement resources just aren't available to stop the activity.

There are six proposed ATV bills in the Minnesota Senate right now, mostly aimed at protecting road rights of way and public lands by banning riding in specific areas altogether. Both Chuck and Ron think that developing more trail systems in Minnesota (following Wisconsin's practice) will help discourage riders from operating along the roadways.

Ron said that it has helped a little to work with state ATV organizations on the issue. However, because ATV riders fall into two different categories in Minnesota, it really doesn't solve the problem. Utilitarian riders (those who use ATVs for working on farms), in contrast to recreational riders, don't participate in the recreational organizations and are very difficult to reach with any kind of message or influence. Honda and Polaris see the same kind of division

between riders and are working hard in Minnesota to lobby for ATV-restricting laws. The destruction along the roadways is hurting the industry's image, so they're very interested in doing what they can to help change ATV rider behavior as well.

Iowa

David Downing, Iowa DNR, 515-281-3449

Iowa has successfully worked with the Iowa Association for All-Terrain Vehicles to curb ATV riding in ditches. David said that working with the local organizations is the key because they advise their own members about where they should and shouldn't drive and pressure them to ride responsibly. ATV registration and riding fees pay for ATV programs and trails. Once the riders understand that they could lose privileges and riding areas that they're paying for, they will more actively embrace self-policing. David suggested that getting local parks to provide more legitimate riding areas might also reduce illegal riding.

The Iowa Senate voted in March to increase fines for illegal riding behavior and to make it illegal to ride in roadway ditches except under a few very specific circumstances. The Iowa ATV association actually sponsored this bill.

ATV ORGANIZATIONS

National Off-Highway Vehicle Conservation Council (NOHVCC)

Russ Ehnes, Executive Director, 406-454-9190

<http://www.nohvcc.org/noflash/index1.htm>

The National Off-Highway Vehicle Conservation Council promotes safe, responsible, off-highway recreation. The organization represents the interests of OHV manufacturers, OHV dealers, clubs and enthusiasts.

Russ said that getting at the cause of illegal or destructive ATV driving behavior is the key to eliminating it. Putting up signage alone won't be enough of a deterrent. He suggests analyzing why the drivers are going where they are. Do they need alternate routes to get to their destination? Are there enough trails in their part of the state?

Russ also recommended working closely with the local OHV organizations on the problem. These groups are often effective at providing ground-level support. The following individuals should be able to provide assistance:

- Lance David, NOHVCC Wisconsin Partner, 847-697-1329, lancedavid@aol.com
- Larry Freidig, Manager of Motorized Recreation Grant Programs, 608-266-5897, freidl@dnr.state.wi.us
- Randy Harden, Wisconsin ATV Association, 920-457-4141, info@watva.org.
- Gary Hanson, Region Trails Coordinator, Wisconsin Department of Natural Resources, 920-492-5823

Americans for Responsible Recreational Access

<http://responsiblerecreation.policy.net/home/>

Americans for Responsible Recreational Access (ARRA) is a national organization with local chapters that represents a range of outdoor recreation enthusiasts, including ATV riders, in an effort to prevent public lands from being restricted in recreational use. The group includes promotion of environmental preservation in its objectives and conducts public awareness campaigns, places public service ads and leads educational workshops for public land planners stressing methods that lessen environmental impacts. Members volunteer their time and financial resources for programs to help land management agencies restore and maintain the roads and trails on public lands and their adjacent waterways.

Wisconsin All-Terrain Vehicle Association

<http://www.watva.org/index.htm>

Local ATV groups in Wisconsin

<http://www.anythingwisconsin.com/atvclubs.htm>

RESPONSIBLE RECREATION GROUPS

Tread Lightly

<http://www.treadlightly.org/>

1-800-966-9900

Tread Lightly is a national non-profit organization based in Utah that works to increase public awareness and responsible outdoor recreation through education, restoration and research. Their programs are aimed at outdoor enthusiasts, manufacturers and the media.

The group produces a variety of educational products such as videos and brochures on responsible riding, knowing your environmental impact, etc.

<http://www.treadlightly.org/store.mv?product=educational&itemcount=0>

Tread Lightly administers grants for the construction of stream crossings where vehicle travel threatens wildlife habitats. The organization partners with companies like Honda on adding signage, developing new trails, etc.

<http://www.treadlightly.org/partners.mv?partner=3D32EF530005C37D00001E1400000000>

Leave No Trace

<http://www.lnt.org/>

The Leave No Trace Center for Outdoor Ethics is a national non-profit organization dedicated to promoting and inspiring responsible outdoor recreation through education, research and partnerships. The group has partnered with Subaru to train outdoor enthusiasts around the country on how to minimize their impact in natural areas.

<http://www.travelingtrainers.org/>.